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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robert M. LORENCE ET AL.

Serial No.: 08/260,536

Filed: June 16, 1994



Box AF

Initial Review

BOX AF

Group Art Unit: 1813

Examiner: L. Scheiner

For: **METHODS FOR TREATING AND DETECTING CANCER USING VIRUSES**

REQUEST FOR WITHDRAWAL OF FINALITY UNDER 37 C.F.R. § 1.129

Assistant Commissioner for Patents
Washington, D.C. 20231



SIR:

In accordance with 37 C.F.R. § 1.129(a), applicants hereby request withdrawal of the finality of the Office Action issued October 18, 1995. The above-identified application is in compliance with the requirements set forth in 37 C.F.R. § 1.129(a), including, e.g., the fee under § 1.17(r) filed herewith, prior to the filing of an Appeal Brief and prior to the abandonment of the above-identified application. Therefore, applicants are entitled to have a first submission entered and considered on the merits after final rejection.

Respectfully submitted,

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.

Richard M. Lebovitz, Reg. No. 37,067
Attorney for Applicants

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Arlington, VA 22201
(703) 243-6333

Filed: April 19, 1996

RML:dm20:PROV12.129

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robert M. LORENCE ET AL.

Serial No.: 08/260,536 *dm*

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Box AF

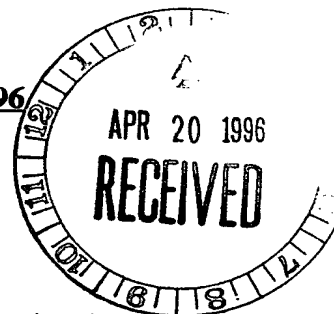
Group Art Unit: 1813

Examiner: L. Scheiner

For: **METHODS FOR TREATING AND DETECTING CANCER USING VIRUSES**

**REQUEST FOR ENTRY OF
37 C.F.R. § 1.116 AMENDMENT FILED MARCH 18, 1996**

Assistant Commissioner for Patents
Washington, D.C. 20231



SIR:

Applicants request entry of the amendment filed March 18, 1995, previously denied entry by the Examiner, as indicated in the Advisory Action dated April 11, 1996, Paper No. 18.

Respectfully submitted,

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.

A handwritten signature in dark ink, appearing to be "R. Lebovitz".

Richard M. Lebovitz
Reg. No. 37,067
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Filed: April 19, 1996

RML:dm20:PROVI2.129

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robert M. LORENCE ET AL.

Serial No.: 08/260,536

Filed: June 16, 1994

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Group Art Unit: 1813

Examiner: L. Scheiner



For: **METHODS FOR TREATING AND DETECTING CANCER USING
VIRUSES**

FIRST SUBMISSION UNDER 37 C.F.R. § 1.129

Assistant Commissioner for Patents
Washington, D.C. 20231



SIR:

Reconsideration of the rejections under § 112, first paragraph, and § 102(b) as set forth in the Final Rejection dated October 18, 1995, is respectfully sought. It would not be proper to make a first Office action final in this application since it contains material which was presented in earlier after final rejection but was denied entry because, allegedly, new issues were raised that required further consideration and/or search, including the issue of new matter. M.P.E.P. §§ 706.07(b) and 706.07(g). See Advisory action dated April 11, 1996.

Respectfully submitted,

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.

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